G R S IX 5]

Previous references

File No 50 – 15

1916

(Municipal

Serial Nos. 13, 20, 2346

Later references

Nil 61-19 & 2, 12, 22 + 28

Previous

65
22(a)132

GENERAL AND REVENUE SECRETARIAT

Serial Nos 13, 20, 23 + 26

Part B for September 1916

SUBJECT

Draft bye laws framed by the Shemoga town municipal Council for regulating buildings and other Structures in the Shemoga town

To The Deputy Commr and President Shemoga town Municipal Council

No 1702 A - 2 9. 16

Sanctions the revised bye laws framed by the Shemoga town Municipal Council for regulating buildings and other Structures in the Shemoga town

W D 68—GPB—50,000—24 7-16

J. K. Bareau
18 0 16

[S. 11] 1915-16

GENERAL AND REVENUE SECRETARIAT

(Rural)

NOTES

File No 50-15

FILE HEADING

Rules and bye-laws framed by Rural Comts in the Shimoga Dist.

From

The President, Shimoga Town Rural Council.

No 270 Dated 12-2-16 Received 19 2 16

Diary No 3099 Enclos 2 Spare Copies Serial No 13

BRIEF ABSTRACT OF LETTER

Submits for sanction draft bye-laws framed by the Shimoga town Rural Council under Section 48(1)(P) of the Rural Regulation regulating buildings and other structures in the Shimoga town

NOTES AND ORDERS

C

The draft bye-laws in question are based on the building bye-laws sanctioned for the Bangalore City Municipality

2. Proviso to Bye-law No II is new & is perhaps inserted to meet case of poor builders

NOTES—First Sheet.

3089
3290

G R S 12]

General and Revenue Secretariat | Secl File No 69/50 of 191 5

Serial No

who are not expected to Command the convenience to have plans drawn to scale or to afford the expense of so doing this may be retained.

3. draft sanctioning the draft bye-laws with certain verbal alterations noted in the draft bye-laws is submitted for approval

4/2 4 The portions marked in blue pencil Co-316. in bye-laws nos: XII and XIII were new and it is doubtful if such restrictions can be introduced under the Regs on the areas already built upon.

Requires Consideration

5. In bye XVI the words "may be required" may be omitted

It requires Complete recasting the Const^n is too involved & the meaning obscure this may be done before drafting

BMS
18/3/16

6 I think also that the time limit in Bye law XVII is ultra vires, though it was allowed to stand in the Bangalore Bye laws

I am favour of Sanction

J Mn / 26/8/15

Bn III)

Bn
28/3

—Contn sheet.

G.P.S.—70,000—47

Join 1

G R S 12]

General and Revenue Secretariat | ML File No 50 of 191 5

Serial No

Subd.

7 In bye-law II para 1 the word "and drawn to a scale of not less than 10 feet to an inch" may be omitted as the same condition is laid down in para 2 of bye-law I

8 In para 3 of the bye-law II the words "Reference and the plan ..... the Municipal authorities" occurring in the end may be placed as an independent bye-law

9 Under sec 96 of the Regn the Municipality can only impose conditions as to levels drainage, sanitation or ventilation, or with reference to the location of the building, with reference to ~~location of~~ any street existing or projected; and it is only when the Municipal Council is specially ~~authorised~~ empowered by Govt to do so that the Council can also impose conditions as to design or materials or to the dimensions or the cubical contents of the rooms Therefore unless the Shimoga Municipality has been specially empowered in this behalf bye-laws

NOTE—Contn sheet

GPB—70 000—17 12 1

G R S 12]

General and Revenue Secretariat. | Ml File No. 57 of 1915

Serial No

VIII and XII and XIII would be ultravires

10 Moreover the 2nd sentence of the 2nd para to bye-law XIII can only be enforced in the case of sites which at the time of allotment were stipulated to be used only as sites for dwelling houses.

11 In bye-law XIV the words "other than may be substituted for the word "except-

12 Bye law XVI may be completely omitted as the matter is provided for in section 96 (6)

13 Again the time limit fixed in para 2 of bye-law XVI seems to be ultravires as the Regn does not give any such power to the municipal council nor does it fix any limit itself in case where a license to build has been granted by the Council. In cases where the party proceeds to build without waiting for the license under sec 96(4) then a time limit of one year is fixed in that sec itself Any other limitation of time would therefore be ultravires

14 Bye-law XX may also be omitted as the penalty is fixed in sec 96(5) of the Regn

NOTE—Contn sheet

Ml
14/8/20

(PB—70 000—17 19 1

G R S 12]

General and Revenue Secretariat

ML File No. 50 of 1915

Serial No

15 The question referred to our Branch for opinion is whether the portions of bylaw 12 and 13 marked in blue pencil and the portion of bylaw 16 relating to the time limit of licenses are ultra vires The portions referred to are then -

12 "Houses should not ordinarily be built contiguous to each other"

13 "No shop or market place, manufactory place of public resort, etc, should be built in the midst of localities intended for residential purposes, unless three fourths of the number owners in the block or area affected agree to the same"

16 "The time limit for the license granted under these bylaws shall be Six months

16 Municipal Councils are statutory Corporations and their powers are regulated by the Regulation which creates them In construing enactments granting powers the principle of strict construction is generally applied "However high the authority may be where a special statutory power is exercised, the person who acts must take care to bring himself within the

NOTE –Contn sheet

GPB—70 000 –17 12-15

G R. S 12]

General and Revenue Secretariat | M L File No 50 of 1915

Serial No

Terms of the Statute 4 (Per Coleridge J in Christie v Denvers 11 Ark 378)

17 Bearing these principles in mind, we have to see whether the above byelaws may be brought within the scope of the powers conferred by the Regulation on the Municipal Councils. The first of the three byelaws quoted above refers to the construction of houses and provides prohibits contiguous building The Second byelaw prohibits the building of shops or manufactories in residential quarters, and the third limits the period of license to 6 months The powers of the council in regard to the control of the building of houses are set forth in S 96 of the Municipal Regulation under this Section, the Council has power to impose conditions as to level, drainage & Sanitation or ventilation or others specially authorised by Govt, conditions as to design, material &c Under a reasonable construction of this Section, it does not appear that the Council can restrict the owners to build only on a particular portion of their site if the owner provides to the satisfaction of all the purposes mentioned in the Section (viz Sanitation, ventilation) on the plan Submitted by him The Municipal Council it does not seem legal for the Municipal Council to further impose restrictions which the law

NOTE—Contn. sheet

(PB—70 000—17 12-15

General and Revenue Secretariat

ml File No 50 of 1915.

Serial No

does not vest any right in it to do. The bye-law is therefore ultra vires.

18 The Municipality can not object to grant permission for a building a shop, Manufactory &c, under 596, but it has power to prescribe the conditions on & subject to which the place or locality may be used as a shop or market If the bye-law is ultra vires, and unobjectionable, it is better that it is recast and brought under the proper Section & it is in its present form, it is objectionable, and will be considered illegal

19 As regards the third bye-law, it is clearly ultra vires Under 96 (4), the law only prohibits a person from commencing the work after the expiry of the period of one year from the date on which he first becomes entitled to proceed with it. If he has once commenced the work then there is no limitation of time within which he may complete Then the period of Commencement fixed under the Regulation is one year and this cannot be reduced to 6 months under the bye-law by the Municipal Council

EG 19/4

NOTE—Contn. sheet

GPB 25,000 17-12-17

EG 19/4

3687
4568

G. R. S. 12]

General and Revenue Secretariat

m l File No. 50 of 1915

Serial No.

2. Submitted with the opinion of Br. III

Kp 31/19/4/16

1. Revise the byelaws so as to remove the objectionable features and remit the revised byelaws for the approval of the Govt Council

2/2/4

2. Action should also be taken to point out to the Bangalore City Municipal Council the objectionable features, & to cancel them

Br 25/5

attended to vide DR Mrs 3024/15 HHC 168 6/9/16

will be given by the HH K for com with these by laws 22, 4th cons & the Draft

23 Draft submitted for Consideration

Kp 31/26/5/16

Br 27/4

Approved attached 2/5/16

36/25/5/16

18 Members 24 Absent

25 Errors

26 Take note as regards the 8 other byelaws

5/5

HH 3/5/16

20 25 Dd Chairman No 8211 & 9-5-16 Returns the draft bye laws for revision & retransmission

Asst Secretary 2/8/16 HH 5 p.m.

23 26 From the same office No 475 & 15-6-16 Subs for sanction the bye-laws as revised by the Municipal Council

27 Subs with draft for approval as above

Kp (30) 2/8/16

First Members

HB 22/8-16

237/24/8/16

Br 7/8

Approved 29/8/16

Secretary 29/8/16

G. R. S 12]

General and Revenue Secretariat | ML File No. 50 of 1915.

Serial No

Rec. By Com'r of Land Dt., Shemuya, Tr. and C. No. 1702 of 2-9-16. Enclosing the revised by laws rec'd with U.O. 23.

From the same office No. 233 of 4-12-16 Sub. a duly attested copy of the undated by laws for record in this office

One copy of the by laws with the present Communication will be stitched into the Office & the rest disposed of as usual

KE (30)
8/12/16

D 3089

(10

No. Mul 5015-13 Office of the President, Shimoga Town Municipality, Shimoga.

Dated Shimoga the 12th February 1916.

From

K.Matthan, Esquire., B.A.,
President, Shimoga Town Municipality,
S h i m o g a .

To

V.R.Thyagaraja Iyer, Esquire., M.A.,
Secretary to the Government of Mysore,
Revenue Department, B a n g a l o r e .

Sir,

I have the honour to state that the draft bye-laws regarding sanitation and conservancy under section 48 (1) (n) and bye-laws regulating buildings and other structures under section 48 (1) (p) of the Mysore Municipal Regulation VII of 1906 passed by the Municipal Council at its meeting held on the 2nd October 1915 were duly published locally and also in the Mysore Gazette part II pages 2257,2258 and 2259 of 18th November 1915 and in the succeeding two issues of the Gazette.) Extracts taken & dealt with separately

As no objections or suggestions had been received in writing as mentioned in para 2 of the notice, the subject was placed before the Municipal Council at their meeting held on the 31st January 1916 when the Council resolved that the bye-laws might be submitted to Government for confirmation

I have the honour therefore to request that sanction of Government may kindly be accorded to bring these bye-laws into force in the Town of Shimoga with effect from 1st March 1916.

191

191 8-16.

From

The President, Shimoga Town Municipality, Shimoga.

To

The Secretary to the
of Mysore, Revenue De
Banga

Dated

Despatched 12th February 1916

Received 17

General No. 270
No

Enclosure No One.+ one

Reports on the draft bye-laws sanitation and conservancy under sec 48 (1) (n) and re buildings structures under section 48(1) of the Mysore Municipal Regula VII of 1906.

A printed copy of the draft bye-laws is enclosed.

I have the honor to be,

Sir,

Your most obedient servant,

President Shimoga Municipality,

Shimoga.

Encl to Ltr 50-15-13

Proceedings of the 7th ordinary meeting of the Shimoga Town Municipal Council held in the Chamarajendra Memorial Hall, Shimoga on Monday the 31st January 1916.

Q. Confirmation of bye-laws regarding sanitation and conservancy under section 48(1)(m) and bye-laws regulating buildings and other structures under section 48(1) (p) of the Mysore Municipal Regulation.	As no objections have been received to the bye-laws, they may be submitted to Government for sanction.

X X X X X X

(Signed) K. Matthan.

President,

Shimoga Town Municipality.

"True Extract".

Puttaramaiya

President,

Shimoga Town Municipality,

Shimoga.

13

G R S 26]

File No 50-15
Serial No 20.

Diary No of letter replied to 3089

No. 82 II/Rel 50-15-20
dt 9th May 1916

General and Revenue Secretariat
(Rel)
, the 191

To

The Secretary Govt., Shimoga

Date of issue 10.5.16

Signed by for A V Ramanathan

Sir

In returning herewith the draft by laws for regulating buildings and Streets in the Shimoga Town received with your letter No 270 dt 12-2-1916 I am directed to observe that they require to be recast so as to remove the following objectionable features —

The by laws VIII, XII & XIII are ultra vires for the following reasons —

(1) ~~The Municipal Council Govt~~ in the absence of any special powers from

over

SUBJECT

for the imposition of conditions as to designs or materials or as to dimensions or the external contents of the rooms, can only be enforced, under sec 96 of the Regulations, conditions as to roads, drainage, sanitation or ventilation, &

(ii) Under the same section the Council cannot object to grant permission for building a shop, manufactory, &c. in any area, provided the conditions prescribed by them are acted up to,

(iii) The limit of 6 months fixed as for completion of a work is unauthorised. The only limit that can be imposed by law is that fixed by section 96 (4) of the Regulations which is to the one prescribed by sec 96 (4) of the Regulations which suggest that the work should be commenced within a year of the Council's acquiescence in the

2 I am also to suggest in this connection the following improvements in the Bye-laws for the consideration of the municipal Council.

(1) In bye-law II para 1, the words "and drawn to a scale of not less than 10 feet to an inch" may be omitted as the condition is laid down in para 2 of bye-law I

(2) In para 3 of bye Law II the words "the license and the plan shall always be available on the spot for inspection by the municipal Authorities" may be placed as an independent bye law

(3) "In bye-law III the words "other than

List of enclosures

Copied by

Examined by

GPB—20 (C)—10-10-14

G R S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

(2) The provisions (other than those contained in the second para) referred to above relating to shops, market places, etc. under Bye laws XIII may, however, be made enforceable only as regards areas brought under the proper place as The Municipal Council has power to prescribe under Sec 96 the conditions on which the places or the locality may be used as a shop etc.

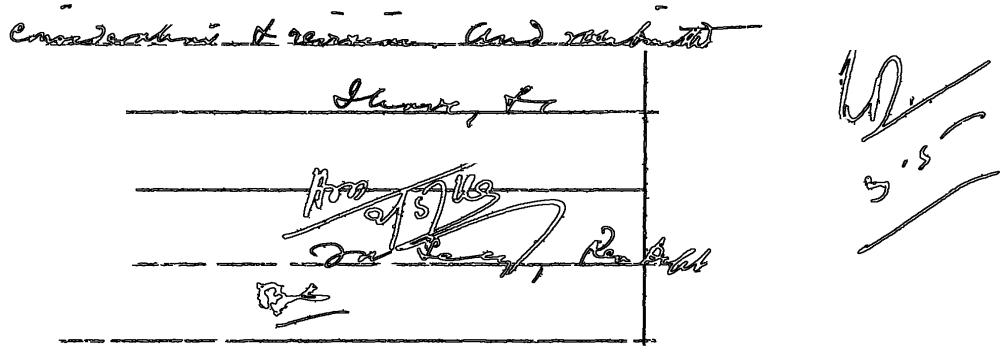
(3) In bye-law XIV the words "other than" may be substituted for the words "except"

(5) Bye law XVI may be completely omitted as the matter is provided for in Sec - 96 (6).

(6) Bye law XV may also be omitted as the penalty is fixed in Sec - 96 (5) of the Resolution.

3 I am therefore to request that the draft bye-laws in question may be placed before the Municipal Council for early

16



(17)

No. 475 — D 4568 / Rev 50-15-23

From

Office of the Deputy Commissioner,
Shimoga District,
Dated Shimoga 15/17th June 1918.

K. Matthan, Esquire, B.A.,
President,
Shimoga Town Municipality,
Shimoga.

To

V.R. Thyagaraja Iyer, Esquire, M.A.,
Secretary to the Government of Mysore,
Revenue Department,
Bangalore.

Sir,

With reference to your letter No.8211/Ml.50-15-20 dated 9th May 1918 returning the draft bye-laws regulating the buildings and structures in Shimoga town, and requesting that some of the bye-laws may be recast, I have the honor to state that the subject was placed before the Municipal Council. The portions to which objection was taken have been removed and the bye-laws recast. The bye-laws as now revised are submitted herewith.

I have the honor to be,

Sir,

Your most obedient servant,

For President,
Shimoga Town Municipality,
Shimoga.

C.F.R.

1915-16.

From

The President, Shimoga Town
Municipality,
Shimoga.

To

The Secretary to the Government
of Mysore,
Revenue Department,
Bangalore.

Dated 15/17th June 1916.

Despatched 19-6-1916

Received

General No 475

No

Enclosure No 2

States that the subject re regulating the buildings and structures in Shimoga town was place before the Municipal council.

GPB—50,000—28-9-12

W

Building bylaws framed by the Shimoga Town Municipal

106

GRS 28]

File No 50–15–
Serial No 26

Diary No of letter replied to 4568

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT
(Mun[l])

, the 191

Date of issue 4916

Signed by M.V.B. Subba Rau

Ex 1

READ—

Correspondence ending with letter no 475 of 15 6 1916 from the Resident Shimoga Town Municipal Council submitting for sanction revised bylaws for regulating

ORDER THEREON—No

buildings and other structures framed by the Municipal Council under sec 48 (1) (k) of the Mysore Municipal Regulation

order no 1702 Mul 50 15-26 dated 9 2 916

SUBJECT

(9)

The revised by-laws are submitted and approved [illegible]

2 The Secretary Com[illegible] Parish of the Shamokin Dam Camp Ground is requested to cause the by-laws to be transcribed & printed and a dozen copies of each of them sent to this office for record.

W. C. 14.

[illegible]

[illegible] Sec'y, Shamokin Dam Camp Ground

The Secretary Com[illegible] Parish, Shamokin Dam Camp

(2)

Encl to Govt 50-15-23

SHIMOGA TOWN MUNICIPALITY

Notice

Bye laws regulating buildings and other structures in the town of Shimoga under Section 48 (1) P and Sanctioned in G O No 1702 dated 9-2-16

I Every person intending to erect or re erect within the meaning of Sections 92 to 96 of the Mysore Municipal Regulation No VII of 1906, any building in the town of Shimoga shall give notice in writing of his intention to the President

Such notice shall be accompanied with a site plan of the land on which the structure is proposed to be built drawn to a scale of not less than 10 feet to an inch, showing

(a) the position of the building and appurtenant out-buildings to be erected on the land,

(b) the area to be occupied by the building and out-buildings on the land,

(c) the names (if any) or description of the adjacent roads, streets, bridges, culverts on buildings, and

(d) the number of the lot and the name or number of the block and street or road in which the land is situated

II The plan required to be produced under Section 96 of the Mysore Municipal Regulation shall be in duplicate ~~and drawn to a scale of not less than 10 feet to an inch.~~

It shall show in sections and elevations the plan of the ground floor and of each other floor, if any, the depth and the thickness of the foundation, the height and thickness of the plinth and walls above the plinth, the thickness of the floor or floors, and the dimensions and structure of the roof

The aforesaid plan shall further show the position of the line or frontage of the proposed building with reference to the adjacent side drain of the street or road which the building faces or if there be no such side drain with reference to the central line of the street or road

III The license and the plan shall always be available on the spot for inspection by the Municipal authorities

Provided that in the case of buildings of which the value will be less than Rs 500 it shall be sufficient for the site plan to show, to the satisfaction of the Vice President, without scale, the size of the proposed building and its position on the land, together with the position of the land with reference to adjacent buildings or lands

IV ~~III~~ No foundation of a new building intended for human occupation shall be constructed on a site which has been filled up with or used as a place for depositing excrementitious matter or the carcasses of dead animals, or other filthy or offensive matter until such matter shall have been properly removed to the satisfaction of the President or shall in his opinion have become innocuous

~~IV~~ No shop or market place, manufactory place of public resort, etc, should be built in the midst of localities intended for residential purposes, unless ~~three-fourths of the number of owners in the block or area affected agree to the same~~ Specially in streets by the

~~V~~ ~~IV~~ No pits shall be excavated in the sites allotted for building dwelling houses

V No building site shall be surrounded by a hedge of lantana, aloe, prickly pear or other objectionable plant, or by a fence of barbed iron wire

VI No new building shall be erected by any person the foundation of the wall of which along the road is less than 1½ feet from the side drain

VII The level of the plinth of any building shall not be below such level as may be fixed by the Vice President

~~IX~~ The eaves of buildings, sun shades to windows, water spouts to drain roof water shall not project beyond the side street drain adjoining the house and the spouts shall be led down to the ground

~~X~~ The steps to get up the plinth from the road shall not project beyond the outer edge of the road drain of the road

~~XI~~ No sun shade for shops either temporary or permanent shall be credited beyond the outer edge of the side drain of the road

~~XII~~ No person shall construct a cover a privy whether new or old any room or structure over a privy whether privy or a bathing place or bath room

~~XIII~~ In case any person has any doubt or difficulty as to the true intent or meaning of any [illegible] with these rules or the requirement therein he may before proceeding [illegible] to erect or re erect any building apply to the Municipal Vice-President who shall upon receipt of such application give the said person within a week [illegible] in the circumstances may be necessary

For Chairman & Vice President

Construction of privies or latrines

~~XV~~ ~~XVII~~ Every place, other than a water-closet or bath-room situated within any house building or enclosure, and habitually used for the purpose of nature or for keeping human excreta shall be considered to be a privy or latrine within the meaning of this bye-law

~~XVI~~ ~~XVIII~~ Every person who shall erect a new building shall in connection with such buildings as chattram, Agraharams and tenements, etc , construct such number of privies and in such manner as shall be prescribed in each case by the President

~~XVII~~ ~~XIX~~ A person who shall construct a new privy, whether in connection with a building or not, shall construct such privy upon such site or in such position and manner only as shall be approved by the Vice-President

~~XX~~ Every person who shall commit any breach of any of the foregoing bye-laws shall be punishable with fine which may extend to Rs. 200 on conviction before a Magistrate, as provided in the Municipal Regulation, VII of 1908, Section 96 (5).

~~XVIII~~ ~~XXI~~ Whenever under any of the foregoing bye-laws the doing or the omitting of doing a thing or the validity of anything depends upon sanction, permission, approval, order, direction, requisition, notice or satisfaction of the President, a written document signed by the President, or by any Municipal Officer to whom the President may have delegated his powers, duties or functions in that behalf purporting to convey or set forth his sanction, permission, approval, order, direction, requisition, notice or satisfaction, shall be sufficient *prima facie* evidence of such sanction, permission, approval, order, direction, requisition, notice or satisfaction

[illegible],

[illegible]

2 E

[illegible]

17-6-1916

for President

[illegible]

5175

No. 233. Office of the President,
Shimoga Town Municipality,
Dated the 4th December 1916.

From

A. Subramanya Iyer, Esquire, B.A.,
President, Shimoga Town Municipality.

To

L. Krishna Rao, Esquire,
Offg. Secretary to Government of His Highness the
Maharaja of Mysore, Revenue Department,
Bangalore.

Sir,

As requested in para 2 of Government Order No. 1702 Ml. 50-15-26 dated 2nd September 1916 approving bye - laws for regulating buildings and other structures framed by the Municipal Council under section 48 (1) (p) of the Municipal Regulation, I have the honor to submit herewith a dozen printed Copies in English and in Kannada of the bye-laws referred to .

I have the honor to be,
Sir,
Your most obedient servant,

For President,
Shimoga Town Municipality

K.S.

23

GPB—50,000—17-9-15

1916.

6 DEC 1916

From

The President,

Shimoga Town Municipality.

To

The Secretary to Government,

Revenue Department,

Bangalore.

Dated

Despatched 5th December 1916.

Received

General No 233.
No.

Enclosure No. 24 Copies.

Submits printed copies of bye-laws for regulating buildings and other structures

SHIMOGA TOWN MUNICIPALITY

Bye-laws regulating buildings and other structures in the town of Shimoga under Section 48 (1) P and sanctioned in Government Order No 1702—Ml 50-15 26, dated 2nd September 1916

I Every person intending to erect or re erect within the meaning of Sections 92 to 96 of the Mysore Municipal Regulation No VII of 1906, any building in the town of Shimoga shall give notice in writing of his intention to the President

Such notice shall be accompanied with a site plan of the land on which the structure is proposed to be built drawn to a scale of not less than 10 feet to an inch, showing

(*a*) the position of the building and appurtenant out buildings to be erected on the land,

(*b*) the area to be occupied by the building and out buildings on the land,

(*c*) the names (if any) or description of the adjacent roads, streets bridges, culverts or buildings, and

(*d*) the number of the lot and the name or number of the block and street or road in which the land is situated

II The plan required to be produced under Section 96 of the Mysore Municipal Regulation shall be in duplicate

It shall show in sections and elevations the plan of the ground floor and of each other floor, if any, the depth and the thickness of the foundation the height and thickness of the plinth and walls above the plinth, the thickness of the floor or floors, and the dimensions and structure of the roof

The aforesaid plan shall further show the position of the line or frontage of the proposed building with reference to the adjacent side drain of the street or road which the building faces or if there be no such side drain with reference to the central line of the street or road

III The license and the plan shall always be available on the spot for inspection by the Municipal authorities

Provided that in the case of buildings of which the value will be less than Rs 500 it shall be sufficient for the site plan to show, to the satisfaction of the Vice President, without scale, the size of the proposed building and its position on the land, together with the position of the land with reference to adjacent buildings or lands

IV No foundation of a new building intended for human occupation shall be constructed on a site which has been filled up with or used as a place for depositing excrementitious matter or the carcasses of dead animals, or other filthy or offensive matter until such matter shall have been properly removed to the satisfaction of the President or shall in his opinion have become innocuous

V No shop or market place, manufactory place of public resort, etc, should be built in the midst of localities intended for residential purposes unless specially authorised by the Municipal Council

VI No pits shall be excavated in the sites allotted for building dwelling houses

VII No building site shall be surrounded by a hedge of lantana, aloe, prickly pear or other objectionable plant, or by a fence of barbed iron wire

VIII No new building shall be erected by any person the foundation of the wall of which along the road is less than 1½ feet from the side drain

IX The level of the plinth of any building shall not be below such level as may be fixed by the Vice President

X The eaves of buildings, sun shades to windows, water spouts to drain roof water shall not project beyond the side street drain adjoining the house and the spouts shall be led down to the ground

XI The steps to get up the plinth from the road shall not project beyond the outer edge of the side drain of the road

XII No sun shades for shops or other temporary or permanent shall be erected beyond the outer edge of the side drain of the road

XIII No person shall construct over a privy whether new or old any room or structure of any description other than another privy or a bathing place or bath room

25

XIV If any person has any doubt or difficulty as to the true intent or meaning of any matter connected with these rules or the requirements the he may, before giving notice, in writing, of his intention to erect or re-erect any building, apply to the Municipal Vice-President who shall, upon receipt of such application, give the said person within a week such information as in the circumstances may be necessary

Construction of privies or latrines

XV Every place, other than a water closet or bath room situated within any house building or enclosure, and habitually used for the purpose of nature or for keeping human excreta shall be considered to be a privy or latrine within the meaning of this bye-law

XVI Every person who shall erect a new building shall in connection with such buildings as chattrams, agraharams and tenements, etc , construct such a number of privies and in such manner as shall be prescribed in each case by the President

XVII A person who shall construct a new privy, whether in connection with a building or not, shall construct such privy upon such site or in such position and manner only as shall be approved by the Vice-President

XVIII Whenever under any of the foregoing bye laws the doing or the omitting of doing a thing or the validity of anything depends upon sanction, permission, approval, order, direction, requisition, notice or satisfaction of the President, a written document signed by the President, or by any Municipal Officer to whom the President may have delegated his powers, duties or functions in that behalf purporting to convey or set forth his sanction, permission, approval, order, direction, requisition, notice or satisfaction, shall be sufficient *prima facie* evidence of such sanction, permission, approval, order, direction, requisition, notice or satisfaction

A Subramanya Iyer,
President

ಶಿವಮೊಗ್ಗ ಟವ್ನ್ ಮ್ಯುನಿಸಿಪಾಲಿಟಿ

ರಸ್ತೆಗಳು ಮತ್ತು ಇತರ ಕಟ್ಟಡಗಳು ಕಟ್ಟಡಕ್ಕೆ ವಿಷಯದಲ್ಲಿ ಮ್ಯುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ 48ನೆ ಪ್ರಕರಣದ (1) P ಕೆಲಂ ಅನುಸರಿಸಿ ತಯಾರಿಸಿದ ಮತ್ತು ತಾರೀಖು 2—9—1916ನೆ ಮ.ರ್ಯಂ ನಂಬರು 1702 ಮ್ಯುನಿಸಿಪಲ್ 50–15–16ನೆ ಗೌರ್ನಮೆಂಟು ಆರ್ಡರನಲ್ಲಿ ಮಂಜೂರಾಗಿರುವ ಬೈಲಾಗಳು —

I 1906ನೆ ಇಸವಿಯ ನಂಬರ್ VIIನೆ ಮೈಸೂರು ಮ್ಯುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ 92ನೆ ಪ್ರಕರಣದ ಲಾಗಾಯಿತು 96ನೆ ವರಿಗಿನ ಪ್ರಕರಣಗಳಲ್ಲಿ ವಿಧಾಯಕವಾಗಿರುವ ವೇರಿಗೆ ಒಂದು ಕಟ್ಟಡವನ್ನು ಹೊಸದಾಗಿ ಕಟ್ಟುವ ಅಥವಾ ಕೆಡವಿಸಿ ಕಟ್ಟುವ ಇಚ್ಛೈಸುವ ಪ್ರತಿಯಬ್ಬ ಮನುಷ್ಯನು ಈ ವಿಷಯ ಕ್ರಮವಾಗಿ ಪೈಸಿಡೆ ಟರವರಿಗೆ ಬರಹ ಮೂಲಕವಾದ ನೋಟೀಸು ಕೊಡಬೇಕು

ಅಂಥಾ ನೋಟೀಸಿನೊ-ದಿಗೆ ಪ್ರತಿ ಒಬ್ಬರು 1 ಇಂಚಿಗೆ 10 ಅಡಿ ಕಮ್ಮಿ ಇಲ್ಲದಂತೆ ಸ್ಕೇಲು ಅನುಸರಿಸಿ ಕಟ್ಟಡವನ್ನು ಕಟ್ಟತಕ್ಕ ಜಾಗಾದ ಸೈಟ್ ಪ್ಲಾನ್ ಹಾಜರುಪಡಿಸಬೇಕು ಸದರಿ ಪ್ಲಾನಿನಲ್ಲಿ ಈ ಕೆಳಗೆ ಕಂಡ ತಪಶೀಲುಗಳು ಇರಬೇಕು —

(a) ಸದರಿ ಜಾಗಾಂದೆಲ್ಲಿ ಕಟ್ಟತಕ್ಕ ಕಟ್ಟಡ ಮತ್ತು ಸಂಬಂಧಪಟ್ಟ ಇತರೆ ಕಟ್ಟಡಗಳು ಸಹ ತೋರಿಸಬೇಕು

(b) ಕಟ್ಟಡಗಳು ಮತ್ತು ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಇತರೆ ಕಟ್ಟಡಗಳ ವಿಸ್ತೀರ್ಣ ಸಹ ನಮೂದಿಸಬೇಕು

(c) ಆಜೂ ಬಾಜೂ ಇರತಕ್ಕ ರಸ್ತೆಗಳು, ಒಡಿಗಳು ಸೇತುವೆಗಳು ಮೊಹರಿಗಳು ಮನೆಗಳು ಅಥವಾ ಕಟ್ಟಡಗಳ ಹೆಸರು ಈ ತಪಶೀಲು ಸಹ ನಮೂದಿಸಬೇಕು

(d) ಸದರಿ ಜಾಗಾದ ನಂಬರು, ಸಿಸರು ಯೂ ವಳನಂಬರು ಯೂ ಇದು ಇರತಕ್ಕ ಒಡಿ ಅಥವಾ ರಸ್ತೆ ಸಹ ನಮೂದಿಸಬೇಕು

II ಮೈಸೂರು ಮ್ಯುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ 96ನೆ ಪ್ರಕರಣದ ಮೇರಿಗೆ ಹಾಜರು ಮಾಡುವ ಪ್ಲಾನು ದ್ವಿಪ್ರತಿಯಾಗಿ ತಯಾರಿಸಿರಬೇಕು

ಈ ಪ್ಲಾನು ತಳಹದಿಯ ಮಟ್ಟ, ಮನೆಯ ನೆಲಮಟ್ಟ ಮತ್ತು ಆಜೂ ಬಾಜೂ ನೆಲಮಟ್ಟ ಮನೆಯ ವಿಸ್ತೀರ್ಣ ಮೇಲು ಛಾವಣಿ ಇವುಗಳನ್ನು ಸೆಕ್ಷನ್ಸ್ ಮತ್ತು ಯಲಿವೇಷನ್ಸುಗಳಲ್ಲಿ ತೋರಿಸತಕ್ಕದ್ದಾಗಿರಬೇಕು

ಮೇಲೆ ಹೇಳಿದ ಪ್ಲಾನು ಮನೆಯುಸಾಲು ಅಥವಾ ಮುಂಭಾಗವು ಬಾಜೂದಲ್ಲಿರುವ ಜರಂಡಿಯ ಎದುರಿಗಿನ ರಸ್ತೆಯ ಸಾಲಿಗೂ ಅಥವಾ ಪಕ್ಕದಲ್ಲಿ ಅಂಥಾ ಜರಂಡಿ ಇಲ್ಲದಿದ ಕೆ ಮುಂಭಾಗದ ರಸ್ತೆಯ ಮಧ್ಯರೇಖೆಗೂ ಇರುವ ಸ್ಥಳದ ತಪಶೀಲನ್ನು ತೋರಿಸತಕ್ಕದ್ದಾಗಿರಬೇಕು

III ಮ್ಯುನಿಸಿಪಾಲಿಟಿಯ ಅಧಿಕಾರಿಗಳ ತನಿಖೆ ಒಗ್ಗೆ ಪ್ಲೈನನ್ನು ಮತ್ತು ಪ್ಲಾನು ಸ್ಥಳದಲ್ಲಿ ಯಾವಾಗ್ಲೂ ಹಾಜರಿರಬೇಕು ಅದರೆ ಕಟ್ಟಡದ ಕಿಮ್ಮತ್ತು ₹500 ಅಯಿ ದುನೂರು ರೂಪಾಯಿಗಿಂತ ಕಮ್ಮಿ ಇದ್ದಲ್ಲಿ ಜಾಗ ದ ಪ್ಲಾನಿನಲ್ಲಿ ಕಟ್ಟಡದ ಒಳತ ಸ್ಥಳ ಮತ್ತು ಇದರ ಆಜೂ ಬಾಜೂ ಇರತಕ್ಕ ಕಟ್ಟಡದ ಜಾಗಾಗಳ ತಪಶೀಲನ್ನು ಸ್ಕೇಲ್ ಇಲ್ಲದೆ ಪೈಸಿಡೆಂಟರವರು ಒಪ್ಪುವಂತೆ ತೋರಿಸಿದರೆ ಸಾಕಾಗಿರುತ್ತೆ

IV ಸತ್ತ ಪ್ರಾಣಿಗಳ ಕವಚವನ್ನು ದಫನ ಮಾಡಿದ ಥಾ ರು ಗಲೀಜನ್ನು ಡಿಪಾಜಿಟ್ಟು ಮಾಡಿದಂಥಾ ಮತ್ತು ಇತರ ಅಸಹ್ಯ ಮತ್ತು ಅಪಾಯಕರವಾದ ಪದಾರ್ಥಗಳನ್ನ ಹೂಳಿದ ಜಾಗಾಗಳಲ್ಲಿ ಪೈಸಿಡೆಂಟರವರು ಒಪ್ಪುವಂತೆ ಸದರಿ ಪದಾರ್ಥಗಳನ್ನು ತೆಗಿಸಿ ಹಾಕಿದ ಹೊರ್ತು ಯಾ ಅವರು ಸದರಿ ಜಾಗ ಪರಿಶುದ್ಧವಾವ್ದು ಎಂದು ಅಭಿಪ್ರಾಯ ಪಟ್ಟ ಹೊರ್ತು ಮನುಷ್ಯನ ವಸತಿಗೆ ನೆಲಗಟ್ಟನ್ನು ಮಾಡಕೂಡದು

V ಮ್ಯುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲನವರಿಂದ ಸ್ಪೆಷಲ್ಲಾಗಿ ಅಪ್ಪಣೆ ಪಡದ ಹೊರತು ವಾಸವಾಗಿರತಕ್ಕ ಮಧ್ಯರಾಷ್ಟ್ರಗಳಲ್ಲಿ ಅಂಗಡಿಯನ್ನಾಗಲಿ, ಮೊಳೆಕಟ್ಟು ಸ್ಥಳವನ್ನಾಗಲಿ ಅಥವಾ ಕಾರ್ಖಾನೆಯನ್ನಾಗಲಿ ಕಟ್ಟಕೂಡದು

VI ಮನುಷ್ಯರ ವಾಸಕ್ಕೆ ಕಟ್ಟಡ ಕಟ್ಟಲು ಜುನಾಯಿಸಿದ ಜಾಗಾಗಳಲ್ಲಿ ಗುಣಿಗಳನ್ನು ತೆಗಿಯಕೂಡದು

VII ಯಾವ ಮನೆ ದಳಿದ ಸುತ್ತಲೂ ಲಂಟಾನ, ಪಾಪಾಸುಕಳ್ಳಿ ಯಾ ಇತರ ಆಕ್ಷೇಪಕರವಾದ ಗಿಡದ ಬೇಲಿಯನ್ನಾಗಲಿ (Barbed) ಚಂತಿ ಬೇಲಿಯನ್ನಾಗಲಿ ಹಾಕಕೂಡದು.

VIII ಹೊಸದಾಗಿ ಕಟ್ಟಬೇಕಾದ ಕಟ್ಟಡದ ರಸ್ತೆ ಕಡೆ ಗೋಡೆಯು ತಳಪಾಯವು ಪಕ್ಕದ ಜರಂಡಿಯಿಂದ ಒಂದೂವರೆ ಅಡಿ ಕಮ್ಮಿಯಾಗಿ ಕಟ್ಟಕೂಡದು

IX ಕಟ್ಟಡದ ಸ್ತಂಭದ ಬುಡದ ಲೆವಲ್ ಪೈಸ್ ಪೈಸಿಡೆಂಟರವರಿಂದ ಗೊಪ್ಪು ಮಾಡಲ್ಪಡಬಹುದಾದ ಲೆವಲ್ಲಿಗಿಂತ ತಗ್ಗಾಗಿರಕೂಡದು

X ಕಟ್ಟಡಗಳ ಸೂರು, ಅಂಚುಗಳು ಕಿಟಕಿಗಳಿಗೆ ಇರತಕ್ಕ (Sun shades) ಗಳು, ನೀರನ್ನು ಸಾಗಿಸತಕ್ಕ ಪೈಪು ಇವುಗಳ ಮುನೆಯು ಪಕ್ಕದಲ್ಲಿನ ಒಡಿಯು ಜರಂಡಿಗಿಂತ ಜಾಸ್ತಿಯಾಗಿ ಉಜಾಯಿಸಿರಕೂಡದು ನೀರು ಬೀಳತಕ್ಕ ಪೈಪು ನೆಲಪ್ರ ಪದಗೂ ಇಳಿಸಿರಬೇಕು

XI ಕಟ್ಟಡದ ಬೇಸಮೆಂಟನ್ನು ಕಟ್ಟುವಾಗ್ಗೆ ರಸ್ತೆಯಿಂದ ಕಟ್ಟಬೇಕಾದ ಮೆಟ್ಟಿಲುಗಳು ರಸ್ತೆಯ ಪಕ್ಕದ ಜರಂಡಿಯ ಕೂಸೆ ಅಂಗಾಂತರ ರಸ್ತ ಕಡೆಗೆ ಜಾಸ್ತಿಯಾಗಿರಕೂಡದು

XII ಬಿಲಿಗಳಿಗೆ ಪಂಗಾಮಿಯಿಂದ ಗಾಧವಾ ಖಾಯಂ ಆಗಿಯಾಗಲಿ (Sun shades) ಗಳನ್ನು ರಸ್ತೆಯ ಪಕ್ಕದ ಜರಂಡಿಯ ಅಂಚಿಗಿಂತ ಹೆಚ್ಚಾಗಿ ಕಟ್ಟಕೂಡದು

XIII ಯಾ ಸದಾಪತ್ಯ ಯಾ ಪಳಿಯ ಕಟ್ಟಡದ ಮೇಲುಗಡೆ ಇನ್ನೊಂದು ಕಟ್ಟಡ ಸೇರಿದ ಬಿಚ್ಚಲು ಯಾ ಬಚ್ಚಲು ಅಥವಾ ಮೂತ್ರಾವರಣಕ್ಕೆ ಹತ್ತಿರ ಬರುವಂತೆ ಕಟ್ಟಡ ಕಟ್ಟಕೂಡದು

XIV ಯಾವ ಮನುಷ್ಯನಿಗೆ ಈ ರೂಲ್ಸುಗಳ ಅರ್ಥದ ವಿಷಯದಲ್ಲಿ ಅಥವಾ ರೂಲ್ಸುಗಳ ಆಜ್ಞೆಯ ವಿಷಯದಲ್ಲಿ ತಿಳಿಯದೆ ಹೋದರು ಅಥವಾ ಸಂದೇಹ ಬಂದರೂ ಅಂಥಾ ಮನುಷ್ಯನು ಏನು ಕಟ್ಟಿದ ಕಟ್ಟುವೆ ಅಥವಾ ಹಳೇದನ್ನು ತಗೆದು ಹಾಕಿ ಪುನಃ ಕಟ್ಟುವ ತನ್ನ ಅಭಿಪ್ರಾಯವನ್ನು ಕೂಡಲು ನೋಟೀಸು ಮೂಲಕ ತಿಳಿಸುವದಕ್ಕೆ ದುಃಖೆಯೇ ಪ್ರೈಸಿಡಿಲ್ ಪೈಸೆ ಪ್ರೈಸಿಡೆಂಟರವರಿಗೆ ಅರ್ಜಿ ಬರೆದುಕೊಳ್ಳತಕ್ಕದ್ದು ಸದರಿ ಅರ್ಜಿ ತಲ್ಪಿದ ಬಂದು ವಾರದೊಳಗಾಗಿ ಸಂಬಂಧಾನ ಸಾಲೆ ಕೊಡಬಹುದ ತಿಳುವಳಿಕೆಯನ್ನು ಆ ಮನುಷ್ಯನಿಗೆ ಪೈಸ್ ಪ್ರೈಸಿಡೆಂಟರವರು ಕೊಡತಕ್ಕದ್ದು

ಕಕ್ಕಸಗಳು ಕಟ್ಟಿಸತಕ್ಕದ್ದು

XV ಪ್ರತಿಯೊಂದು ಕಟ್ಟಿದ ಅಥವಾ ಆವರಣದಲ್ಲಿರತಕ್ಕ ಬಚ್ಚಲು ಅಥವಾ ಸ್ನಾನದ ಮನೆ ವಿಷಯ ಮನುಷ್ಯನ ಗಲೀಜನ್ನು ಜಮಾಯಿಸತಕ್ಕ ಪ್ರತಿ ಸ್ಥಳಕ್ಕೆ ಕಕ್ಕಸವೆಂದು ಈ ಬೈಲಾದ ಅರ್ಥವು

XVI ಹೊಸ ಕಟ್ಟಿಡಗಳನ್ನು ಭತ್ರಗಳನ್ನ ಕಟ್ಟತಕ್ಕ ಸಂದರ್ಭದಲ್ಲಿರುವ ಅಗ್ರಹಾರಗಳನ್ನು ಕಟ್ಟುತಕ್ಕ ಸಂದರ್ಭದಲ್ಲಿಯಾಗಲಿ ಯಾವಕ್ಕಲು ವಸತಿಗೋಸ್ಕರವಾಗಿಯಾಗಲೀ ಯಾವ ಮನುಷ್ಯನು ಕಟ್ಟಿಸುತ್ತಾನೋ ಅಂಥಾ ಮನುಷ್ಯನು ಪ್ರೈಸಿಡೆಂಟರವರಿಂದ ನಿರ್ದೇಶಿಸಲ್ಪಟ್ಟ ಮೇರಿಗೆ ಕಕ್ಕಸಗಳನ್ನು ಕಟ್ಟಿಸತಕ್ಕದ್ದು

XVII ಕಟ್ಟಡಕ್ಕೆ ಲಗತ್ತಾಗಿಯಾಗಲಿ ಅಥವಾ ಇಲ್ಲದೆಯಾಗಲೀ ಹೊಸದಾಗಿ ಕಕ್ಕಸ ಕಟ್ಟಿಸತಕ್ಕ ಪ್ರತಿಯೊಬ್ಬನೂ ಪ್ರೈಸ್‌ಪ್ರೈಸಿಡೆಂಟರವರಿಂದ ಮಂಜೂರು ಆಗಲ್ಪಡುವ ಸ್ಥಳದಲ್ಲಿ ಮತ್ತು ರೀತಿಯಲ್ಲಿ ಮಾತ್ರಾ ಅಥವಾ ಕಕ್ಕಸಗಳನ್ನು ಕಟ್ಟಿಸತಕ್ಕದ್ದು

XVIII ಈ ಪೊದಲೆ ನಮೂದು ಆದ ಯಾವದಾದರೂ ಬೈಲಾಗಳ ಪ್ರಕಾರ ಬಂದು ಕೆಲಸ ಮಾಡೋಣ ಯಾ ಮಾಡದೆ ಬಿಡೋಣ ಅಥವಾ ಅದರ ವಿಂಜೂರಾತಿಯು ಪ್ರೈಸಿಡೆಂಟರವರ ಮಂಜೂರಾತಿ, ಒಪ್ಪಿಗೆ ಅಪ್ಪಣೆ, ಹುಕುಂ, ನೋಟೀಸು ಮತ್ತು ತಬ್ಬಿಕರವಾಗಿರುವದು ಇವುಗಳ ಮೇಲೆ ಆಗಬೇಕಾಗಿದ್ದಲ್ಲಿ ಪ್ರೈಸಿಡೆಂಟರವರಿಂದ ಅಥವಾ ಅವರಿಂದ ಈ ವಿಷಯದಲ್ಲಿ ಮೇಲಿನ ಅಂಶಗಳಲ್ಲಿ ಅಧಿಕಾರ ಹೊಂದಿದ ಮ್ಯುನಿಸಿಪಲ್ ಅಫಿಸರವರಿಂದ ಸಹಿ ಮಾಡಲ್ಪಟ್ಟ ಬರಹಮೂಲಕವಾದ ಪತ್ರವು ಅಂಥಾ ಮಂಜೂರಾತಿ, ಅಪ್ಪಣೆ, ಹುಕುಂ, ನೋಟೀಸು ಆವುಗಳಿಗೆ ಸಾಕಾದಷ್ಟು ಪ್ರೈಮಾಫೇಷಿ (*Premia facie*) ರುಜುವಾತ್ತಾಗಿರುತ್ತೆ

ಎ ಸುಬ್ರಹ್ಮಣ್ಯ ಐಯ್ಯರ್,
ಪ್ರೈಸಿಡೆಂಟ್